

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING  
PHARMACY, INC. PRODUCTS LIABILITY  
LITIGATION

MDL No. 2419  
Master Dkt. 1:13-md-02419-FDS

THIS DOCUMENT RELATES TO:

All Actions

**PLAINTIFFS' STEERING COMMITTEE'S MOTION FOR ENTRY OF  
BELLWETHER TRIAL AND PRE-TRIAL SCHEDULING ORDER**

Pursuant to Federal Rules of Civil Procedure 16(b) and 26(f), and Local Rule 16.1, the Plaintiffs' Steering Committee ("PSC") hereby moves the Court for entry of the proposed MDL Order Regarding Initial Bellwether Trial Settings and Pretrial Deadlines for Saint Thomas-Related Defendants,<sup>1</sup> which is attached hereto as Exhibit 1. The proposed order includes a plan for pretrial discovery and motion practice, as well as a process for selection of bellwether cases into a pool of potential trial candidate cases. The proposed schedule culminates in trial settings in May 2015 and June 2015 for two bellwether cases.

In support of this motion, the PSC also relies on exhibits hereto and a contemporaneously filed memorandum in support.

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<sup>1</sup> For purposes of the proposed order, the "St. Thomas-Related Defendants," include: Saint Thomas Outpatient Neurosurgical Center, LLC, Howell Allen Clinic A Professional Corporation, John Culclasure, M.D., Debra Schamberg, R.N., Saint Thomas West Hospital Formerly Known As St. Thomas Hospital, Saint Thomas Network, Saint Thomas Health, Ascension Health Alliance, and Ascension Health.

Dated: January 31, 2014

Respectfully submitted,

**/s/ Thomas M. Sobol**

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*Plaintiffs' Steering Committee*

**CERTIFICATE OF SERVICE**

I, Thomas M. Sobol, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: January 31, 2014

**/s/ Thomas M. Sobol**

Thomas M. Sobol, BBO # 471770